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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,311	10/24/2003	Pam Brumfield	C02-0034-000	1454
52246 7590 06/16/2008 PARKS KNOWLTON - C001 1117 PERIMETER CENTER WEST SUITE E402 ATLANTA, GA 30338			EXAMINER CHAMPAGNE, LUNA	
			ART UNIT 3627	PAPER NUMBER
			MAIL DATE 06/16/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/693,311	<b>Applicant(s)</b> BRUMFIELD ET AL.	
	<b>Examiner</b> LUNA CHAMPAGNE	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 2/27/07.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/24/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 2, 7, 8, 13, 14, 19, 20, are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis (2002/0198629 A1).

Re claims 1, 7, 13, 19, Ellis discloses a method/system/computer program product for automated tracking of events associated with a billing cycle for use in connection with a computerized billing system, comprising the steps of:

retrieving a billing schedule specifying a plurality of billing cycle events for the billing cycle (*see e.g. paragraph 0078 – Alternate billing cycles or specific dates may be selected or specified*);

identifying a first billing cycle event from the plurality of billing cycle events (*see e.g. paragraph 0083 – the user is specifying a billing cycle 605 which is non-standard*);

accessing a first rule set corresponding to the first billing cycle event, the first rule set defining prespecified rules for computing an expected value for the billing cycle event and for determining an actual value for the billing cycle event from information generated by the computerized billing system; and executing the first rule set to compute the expected value and determine the actual value for the first billing cycle

*event (see .e.g. paragraph 0082 - the system selects and applies the correct standard calculation from amongst the stored rules in providing the report of actual usage, forecast usage and/or cost estimates).*

Re claims 2, 8, 14, 20, Ellis et al. disclose a method/system/computer program product, further comprising the step of: responsive to a web page request, creating a web page containing indicia representative of the expected value and the actual value for the first billing cycle event (see e.g. paragraph 0057).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-6, 9-12, 15-18, 21-24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis (2002/0198629 A1), in view of Amadon et al. (5,517,555).

Re claims 3, 5, 9, 11, 15, 17, 21, 23, Ellis et al. do not explicitly disclose a method/system/computer program product, further comprising the steps of issuing a first notification if the actual value for the first billing cycle event exceeds a first predetermined threshold; subsequent to issuing the first notification, determining an updated actual value for the first billing cycle event; and issuing a second notification if the updated actual value exceeds the second predetermined threshold.

However, Amadon et al. disclose a method/system/computer program product, further comprising the steps of issuing a first notification if the actual value for the first billing cycle event exceeds a first predetermined threshold (*see e.g. col. 9, lines 9-15*); subsequent to issuing the first notification, determining an updated actual value for the first billing cycle event; and issuing a second notification if the updated actual value exceeds the second predetermined threshold (*see e.g. col. 9, lines 32-56*).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time of the invention to modify Ellis et al. and include the steps of issuing a first notification if the actual value for the first billing cycle event exceeds a first predetermined threshold; subsequent to issuing the first notification, determining an updated actual value for the first billing cycle event; and issuing a second notification if the updated actual value exceeds the second predetermined threshold, as taught by Amadon et al., in order to exercise effective control over customer payments by sending timely notifications.

Re claims 4, 6, 10, 12, 16, 18, 22, 24, it is considered a design choice to create a web page containing indicia representative of the first notification and a second notification.

Amadon et al. sends notifications to the terminals and printer in the customer service center (*see e.g. col. 9, lines 36-42*).

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bedell et al. (6,622,128 B1), Logan (6,493,680 B2), Langhans et al. (5,621,201), Muratani et al. (6,119,109), Remington et al. (6,070,150).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUNA CHAMPAGNE whose telephone number is (571)272-7177. The examiner can normally be reached on Monday - Friday 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627

Luna Champagne  
Examiner  
Art Unit 3627

June 10, 2008